

## **REMARKS**

In view of the above amendments and the following remarks, reconsideration and further examination are respectfully requested.

### **I. Amendments to the Claims**

Independent claim 1 has been amended to clarify features of the invention recited therein and to further distinguish the present invention from the references relied upon in the rejections discussed below.

Further, claim 4 has been cancelled without prejudice or disclaimer of the subject matter recited therein. Claim 5 has been amended to depend from claim 3 and claim 8 has been amended for editorial purposes.

### **II. 35 U.S.C. § 112, Second Paragraph Rejection**

Claim 1 was rejected under 35 U.S.C. § 112, second paragraph as being indefinite. Specifically, claim 1 was rejected for reciting "... a view programming apparatus capable of **holding** ..." Claim 1 has been amended to replace the term "holding" with the term "storing," in order to clarify the structure of the view programming apparatus. Further, claim 1 has been amended to clarify the operation of the view programming apparatus.

As a result, withdrawal of this rejection is respectfully requested, since claim 1 is no longer indefinite.

### III. 35 U.S.C. § 102 Rejection

Claims 1-5 and 9 were rejected under 35 U.S.C. § 102(e) as being anticipated by Ellis et al. (U.S. 2005/0028208). This rejection regarding claims 1-5 and 9 is believed clearly inapplicable to amended independent claim 1 and claims 2, 3 and 8-13 that depend therefrom for the following reasons.

Amended independent claim 1 recites a view programming system capable of programming a viewing of a show by a user. Further, claim 1 recites that a view programming apparatus transmits programmed show information related to the show, for which the viewing has been programmed by the user, to a show receiving apparatus using a first electronic mail, such that the first electronic mail is transmitted at a show start notifying time that is earlier by a predetermined time than a broadcast start time of the show for which the viewing has been programmed. Further, claim 1 recites that, in accordance with the received first electronic mail, the show receiving apparatus displays the programmed show information of only the show for which the viewing has been programmed, and displays a view form message group allowing the user to select a view form for the show for which the viewing has been programmed. Finally, claim 1 recites that, in accordance with the displayed program show information and the displayed view form message group, the show receiving apparatus allows the user to select whether to view or record the show for which the viewing has been programmed. Ellis fails to disclose or suggest the above-mentioned distinguishing features as recited in independent claim 1.

Rather, Ellis merely teaches that an electronic mail can be used to notify a user of their

favorite program list and/or a program guide (see Figs. 7 and 8, and paragraph [0106], which states “Program guide data and other information may, for example, be encapsulated into e-mail messages and transferred using the Simple Mail Transfer Protocol ...”).

Thus, in view of the above, it is clear that Ellis teaches that an electronic mail including a program guide can be sent to a user, but fails to disclose or suggest that, in accordance with the received first electronic mail, the show receiving apparatus displays the programmed show information of only the show for which the viewing has been programmed, as required by claim 1.

In other words, Ellis teaches that an entire list of shows is sent to the user via electronic mail, but fails to disclose or suggest that, in accordance with the received first electronic mail, the show receiving apparatus displays the programmed show information of only the show for which the viewing has been programmed, as required by claim 1.

Additionally, Ellis teaches that the electronic mail transmitted to the user may contain a list of favorite programs (see Figs. 7 and 8), but fails to disclose or suggest that, in accordance with the received first electronic mail, the show receiving apparatus displays the programmed show information and displays a view form message group allowing the user decide a view form for the show for which the viewing has been programmed, as required by claim 1.

Moreover, Ellis teaches displaying a screen that includes a number of channels that have been identified as favorites (see Fig. 10 and paragraphs [0125]), but fails to disclose or suggest in accordance with the received first electronic mail, the show receiving apparatus displays the programmed show information, and displays a view form message group allowing the user to select whether to view or record the show for which the viewing has been programmed, as

recited in claim 1.

Furthermore, Ellis also teaches that an interactive program guide can be implemented to issue a message indicating a start time of a program (see Fig. 9 and paragraphs [0119]), but fails to disclose or suggest that the first electronic mail is transmitted at a show start notifying time that is earlier by a predetermined time than a broadcast start time of the show for which the viewing has been programmed, such that program information and a form message group is displayed that allows the user to select whether to view or record the show for which the viewing has been programmed as required by claim 1.

Therefore, because of the above-mentioned distinctions it is believed clear that independent claim 1 and claims 2, 3 and 8-13 that depend therefrom are not anticipated by Ellis.

Furthermore, there is no disclosure or suggestion in Ellis or elsewhere in the prior art of record which would have caused a person of ordinary skill in the art to modify Ellis to obtain the invention of independent claim 1. Accordingly, it is respectfully submitted that independent claim 1 and claims 2, 3 and 8-13 that depend therefrom are clearly allowable over the prior art of record.

#### **IV. 35 U.S.C. § 103(a) Rejection**

Claims 8-13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ellis in view of various combinations of Ellis (U.S. 2002/0174430) and Hiramoto et al. (U.S. 2003/0023987) (secondary references).

It is respectfully submitted that these secondary references do not disclose or suggest the above-discussed features of independent claim 1 which are lacking from Ellis reference.

Therefore, no obvious combination of Ellis with any of the secondary references would result in, or otherwise render obvious, the invention recited independent claim 1 and claims 2, 3 and 8-13 that depend therefrom.

## **V. Conclusion**

In view of the above amendments and remarks, it is submitted that the present application is now in condition for allowance and an early notification thereof is earnestly requested. The Examiner is invited to contact the undersigned by telephone to resolve any remaining issues.

Respectfully submitted,

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